

Notice of Allowability

Application No.

09/749,988

Applicant(s)

LORD, STEPHEN M.

Examiner

Jeffrie R. Lund

Art Unit

1763

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/24/04.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 2/17/04.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other DRAWING CORRECTIONS.

Jeffrie R. Lund
Primary Examiner
Art Unit: 1763

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen M. Lord on March 15, 2004.

The application has been amended as follows:

In the specification:

On page 7 line 20 "Pat." has been changed to --Patent-- (Both occurrences).

On page 8 lines 17 and 19 "#" has been changed to --No.--;

lines 26 and 30 after "Patent" --No.-- has been added; and

line 27 "Patents" has been changed to --Patent Nos.--.

On page 9 line 17 after "Patent" --No.-- has been added.

On page 10 lines 5, 7, 9, and 12 after "Patent" --No.-- has been added;

line 18 "Pat." has been changed to --Patent--;

line 20 "pat." has been changed to --Patent--; and

line 24 "patent" has been changed to --Patent No.--.

On page 13 lines 26 and 28 "Pat." has been changed to --Patent--.

On page 14 lines 5, 6, and 13 "Pat" has been changed to --Patent--;

line 10 "Pat" has been changed to --Patent No. 4,992,245--, and

"No. 4,992,245." has been deleted;

lines 10 and 11 “#” has been changed to --No.--; and

line 16 after “Patent” --No.-- has been added.

On page 15 line 13 “#” has been changed to --Nos.--.

On page 16 line 13 “Pat” has been changed to --Patent--.

On page 17 line 14 “#” has been changed to --No.--; and

line 18 “Pat” has been changed to --Patent--.

On page 19 line 23 “Pat.” has been changed to --Patent-- (Both occurrences).

On page 20 line 24 “Pat.” has been changed to --Patent-- (Both occurrences);

and on line 26 “Pat.” has been changed to --Patent--.

On page 21 lines 15 and 19 “Pat.” has been changed to --Patent--.

On page 34 line 5 “coolers ,8a” has been changed to --coolers, 8a--.

On page 37 line 18 “1b &c” has been changed to --1b & c--.

On page 39 line 8 “19 a, b&c” has been changed to --19 a, b & c--;

line 9 “18a, b&c” has been changed to --18 a, b & c--;

line 12 “10 a,b&c” has been changed to --10 a, b & c--; and

On page 41 line 8 “8a, b &c” has been changed to --8 a, b & c--.

On page 49 line 5 “&504” has been changed to --& 504--; and

line 19 “&605b” has been changed to --& 605b--.

In the claims:

In claim 3 line 5 “a group” has been changed to -- a first group--.

In claim 5 line 7 “will typically be below” has been changed to

--is less than about--.

Art Unit: 1763

In claim 12 line 9 "prior" has been deleted.

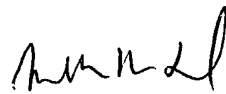
In claim 19 line 1 "the" has been deleted.

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: see attached marked up copies of figures 1c, 4a, and 4c. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrie R. Lund whose telephone number is (571) 272-1437. The examiner can normally be reached on Monday-Thursday (6:30 am-6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Mills can be reached on (571) 272-1439. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jeffrie R. Lund
Primary Examiner
Art Unit 1763

JRL